IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl.Misc.No.55146-M of 2006

DATE OF DECISION: DECEMBER 12, 2006

Varinder Kumar Sharma

...PETITIONER

VERSUS

State of Punjab and another

...RESPONDENTS

CORAM: HON'BLE MR.JUSTICE SATISH KUMAR MITTAL

Present: Ms.Baljit Mann, Advocate,
for the petitioner.

Mr.N.S.Gill, AAG, Punjab.

...

Petitioner Varinder Kumar Sharma apprehending his arrest in pursuance of the non-bailable warrants issued by the trial court in complaint No.244/2/2002 dated 5/16.7.2002 filed by respondent No.2 under Section 138 of the Negotiable Instruments Act read with Section 420 IPC, pending in the court of Addl.Chief Judicial Magistrate, Jalandhar, has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail.

I have heard the counsel for the parties.

Counsel for the petitioner contends that the petitioner was on regular bail in the aforesaid complaint. However, on 13.5.2005, the petitioner could not appear before the trial court on account of communication gap between him and his counsel. Therefore, bail bonds of the petitioner were cancelled and he was summoned through non-bailable warrants. Counsel for the petitioner further contends that in terms of the interim order dated September 12, 2006, the petitioner had appeared before the trial Court and furnished his regular bail bonds which have been accepted and attested. In this regard, counsel for the petitioner has placed on record the certified copy of the order dated 22.9.2006 passed by the trial Court.

In view of the above and for the reasons stated in the order dated September 12, 2006, the same is made absolute.

Disposed of accordingly.

December 12, 2006 (SATISH KUMAR MITTAL)
vkg JUDGE